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OFFICE OF PETITIONS

In re Application of :
Paton et al. :
Application No. 10/673,358 : DECISION
Filed: September 26, 2003 : ON PETITION
Atty Docket No. 7704.003DIV2 :

This is in response to the petition under 37 CFR 1.137(b) filed February 17, 2010.

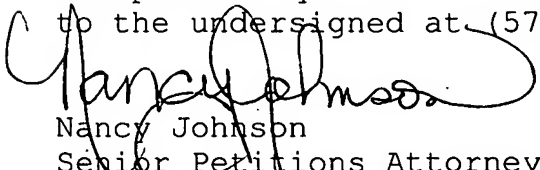
The petition under 37 CFR 1.137(b) is **GRANTED**.

The above-identified application became abandoned effective July 13, 2008 for failure to file a response to the NOTICE OF NON-COMPLIANT AMENDMENT mailed June 12, 2008. By decision mailed October 27, 2009, the initial petition under 37 CFR 1.137(a) filed April 9, 2009 was dismissed. The decision set a two-month period for response, with extensions of time obtainable under § 1.136(a).

Preliminarily, petitioner asserts that this petition was not earlier filed in response as the decision was not received. Petitioner asserts on this basis that the entire delay in filing this reply is unintentional.

The required reply in the form of an amendment was previously submitted on April 9, 2009. The petition includes payment of the petition fee set forth in 37 CFR § 1.17(m) and the required statement of unintentional delay. No terminal disclaimer is required.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3219.


Nancy Johnson
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